

BEFORE THE TENNESSEE REGULATORY AUTHORITY AT

NASHVILLE, TENNESSEE

February 26, 1999

**IN RE: PETITION FOR APPROVAL OF A REVISED)
CMRS INTERCONNECTION AGREEMENT)
NEGOTIATED BY UNITED TELEPHONE-) DOCKET NO. 97-01233
SOUTHEAST, INC. AND 360° COMMUNICATIONS)
COMPANY PURSUANT TO SECTIONS 251 AND)
252 OF THE TELECOMMUNICATIONS ACT OF 1996)**

**ORDER REFLECTING AUTHORITY ACTION APPROVING REVISED
INTERCONNECTION AGREEMENT (CMRS)**

This matter came before the Tennessee Regulatory Authority (the "Authority") upon the Petition of United Telephone-Southeast, Inc. ("United") for approval of a revised CMRS Interconnection Agreement ("Revised Agreement") negotiated between United and 360° Communications Company, a commercial mobile radio service (CMRS) provider.¹ The petition for approval came before the Authority pursuant to 47 U.S.C. §§ 251 and 252. The original Interconnection Agreement was approved by the Authority on September 9, 1997.

In its Petition, United avered that the major revisions to the prior agreement include the deletion of the "most favored nations clause" and changes in language throughout the agreement so as to clarify that obligations under the agreement are in parity with the quality levels that the parties apply to their own services. These revisions stem from the decision in Iowa Utilities Bd. v. F.C.C., 120 F.3d 753 (8th Cir. 1997). The Revised Agreement includes the addition of a Taxes Section (Part A, Section 22), revisions to the price schedule (adding a Section 2.5) and substituting a provision for Total Element

¹ This Order is being issued at this time after the Authority determined that an Order had not been entered reflecting the Authority's action taken at the February 3, 1998, Conference.

Long Run Incremental Cost ("TELRIC") based transport rates (as opposed to rates contained in the original agreement which were based on interstate access).

The Revised Agreement was considered at a regularly scheduled Authority Conference on February 3, 1998, in Nashville, Tennessee before Chairman H. Lynn Greer, Jr., Director Sara Kyle and Director Melvin J. Malone. Based upon the Petition, the record in this matter, the standards for review set forth in the Federal Telecommunications Act of 1996, and the jurisdiction of the Authority over public utilities pursuant to Tenn. Code Ann. § 65-4-104, et seq., the Authority finds and concludes that:

1) The Revised Agreement is not discriminatory to telecommunications service providers that are not a party to the agreement; and

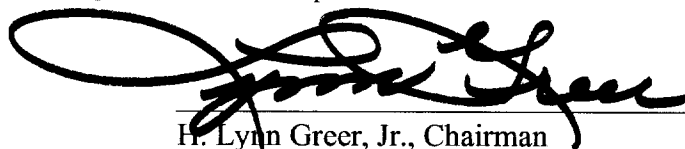
2) The Revised Agreement is consistent with previous Authority decisions and orders.

Based upon these findings and conclusions, the Directors unanimously approved the Revised Agreement as filed.

IT IS THEREFORE ORDERED THAT:

1) The Revised Interconnection Agreement negotiated between United Telephone-Southeast, Inc. and 360° Communications Company is approved; and

2) This Revised Interconnection Agreement is reviewable by the Authority pursuant to 47 U.S.C. §§ 251 and 252 and Tenn. Code Ann. § 65-4-104 et. seq.

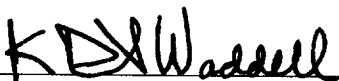


H. Lynn Greer, Jr., Chairman

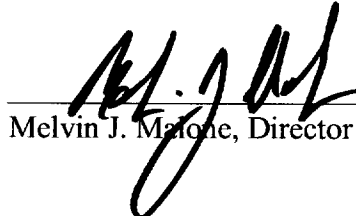


Sara Kyle, Director

ATTEST:



K. David Waddell, Executive Secretary



Melvin J. Malone, Director

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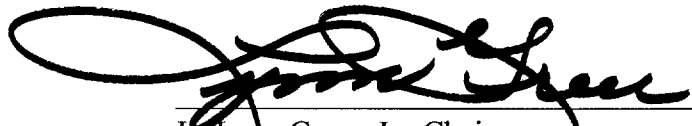
2) The Revised Agreement is consistent with previous Authority decisions and orders.

Based upon these findings and conclusions, the Directors unanimously approved the Revised Agreement as filed.

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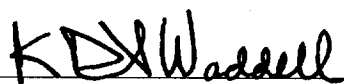
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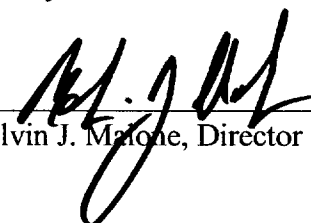
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H. Lynn Greer, Jr., Chairman


Sara Kyle, Director

ATTEST:


K. David Waddell, Executive Secretary


Melvin J. Malone, Director